

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALBERT A. KUBIAK,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	No. 11-6337
	:	
STACEY HARRIS, et al.,	:	
	:	
Defendants.	:	
	:	

ORDER

AND NOW, this 1st day of March, 2013, after consideration of Plaintiff, Albert A. Kubiak's, Motion for Partial Summary Judgment against Defendant, Officer Stacey Harris ("Officer Harris") (Doc. No. 37), and the Response of Officer Harris, it is hereby **ORDERED** that said Motion is **DENIED**.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE